

## REMARKS

This Response is submitted in reply to the Office Action dated May 31, 2007. Claims 3, 13, 24 and 26 have been amended. No new matter has been added by these amendments. Claims 14 to 17 and 27 to 30 have been cancelled without prejudice or disclaimer. Please charge deposit account number 02-1818 for any fees deemed owed in connection with this Response.

The Office Action rejected Claims 1 to 32 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2004/0014517 to Inoue ("*Inoue*") in view of U.S. Patent No. 6,336,860 to Webb ("*Webb*"). Applicants respectfully disagree with and traverse this rejection.

*Inoue* discloses a slot machine game having first to third reel rows and a payout determining device having a first rotary disk, a second rotary disk, and a pointer. The game provides a win when a predetermined symbol combination is completed on a winning payline across the three reel rows. The win is associated with an award coin payout. The first rotary disk of the payout determining device is activated when a winning symbol combination includes the symbol "WILD." The first rotary disk includes symbols "x1", "x2", and "x3" and "to wheel 2." If the pointer points to the symbol "x1" when the first rotary disk stops rotating, an award is paid out that is the same as the award coin paid out for the winning symbol combination. If the pointer points to the symbol "x2", an award is paid out that is twice the amount of the award coin paid out as the winning symbol combination, and so forth. The second rotary disk includes symbols "x4", "x5", "x7", and "x10". The second rotary disk is rotated when the pointer stops on the "to wheel 2" symbol of the first rotary disk. If the pointer points to the symbol "x4" when the second rotary disk stops rotating, an award is paid out that is four times the amount of the award coin paid out as the winning symbol combination, and so forth.

*Webb* generally discloses a game of chance with game symbols having a first defining criterion (e.g., a value or rank) and a second defining criterion (e.g., a color or shape). The second defining criterion can be used to provide the player with an additional award when the second defining criterion of two or more game symbols is the same irrespective of the first defining criterion. In one version, *Webb* provides a game including two symbols "X" and "O" and each symbol is available in two colors, e.g., blue

and red. A first option gives a payoff for a line when all symbols in that line are the same irrespective of color. A second option gives a payoff for a line when all symbols in that line are the same color irrespective of letter. The second option is an example of the game providing an award when the second defining criterion is the same irrespective of the first defining criterion.

Independent Claim 1 is generally directed to a gaming device which includes, among other elements, a plurality of award values, a plurality of modifier values, a characteristic associated with one of the award values, and a characteristic associated with one of the modifier values.

The Office Action states *Inoue* discloses a plurality of award values, a plurality of modifier values, and an award adapted to be provided to the player, wherein the award is based on at least one generated award value modified by at least one generated modifier value. The Office Action acknowledges *Inoue* does not disclose a gaming device including a plurality of characteristics including at least two of the same or related characteristics, wherein (a) at least one of the characteristics is associated with at least one of the award values; and (b) at least one of the characteristics is associated with at least one of the modifier values. The Office Action states that *Webb* teaches game symbols having a first defining criteria and a second defining criteria wherein the second defining criteria of the game symbols can be used to provide a player with an additional award when the second defining criteria of two or more game symbols is the same, irrespective of the first defining criteria. The Office Action concludes it would have been obvious to incorporate the second defining criteria into the award values and modifier values of the gaming device taught by *Inoue* to provide the game operator with a wide selection of games.

Applicants respectfully disagree with this rejection. Applicants submit that neither *Webb* nor *Inoue*, alone or in combination, disclose a characteristic associated with an award value and a characteristic associated with a modifier value. As stated above, the Office Action acknowledges *Inoue* does not disclose a first characteristic associated with an award value and a second characteristic associated with a modifier value. Applicants submit that *Webb* also does not disclose a first characteristic associated with an award value and a second characteristic associated with a modifier value.

As discussed above, *Webb* generally discloses a first defining criteria, such as a value, a number or a rank, associated with a game symbol and a second defining criteria, such as color or shape, which is either the symbol itself or associated with a game symbol. The first and second criteria of *Webb* are not associated with an award value and a modifier value. For example, in the version of *Webb* described above including an "X" and "O", the first defining criteria is the letter, either an "X" or an "O", and the second defining criteria is the color of the letter "X" and "O", either blue or red. The first and second criteria of *Webb* are not associated with an award value and a modifier value. Applicants respectfully submit that neither the symbols/letters "X" and "O", nor the colors associated with them of *Webb* are a characteristic associated with an award value and a modifier value. Unlike the gaming device of independent Claim 1, neither *Inoue* nor *Webb* individually, nor the gaming device resulting from the combination thereof, discloses a characteristic associated with an award value and a characteristic associated with a modifier value. On the other hand, the gaming device of independent claim 1 includes a characteristic associated with an award value and a characteristics associated with a modifier value. For at least this reason, Applicants respectfully submit that Claim 1 is patentably distinguished over *Inoue* and *Webb* and is in condition for allowance.

Claims 2 to 12 depend directly or indirectly from independent Claim 1 and are also allowable for at least the reasons given with respect to Claim 1.

Amended independent Claim 13 is generally direct to a gaming device which includes, among other elements, a display device adapted to display a plurality of concentric wheels, a plurality of first values adapted to be displayed by one of the wheels, a plurality of second values adapted to be displayed by another one of the wheels.

Amended independent Claim 24 is generally directed to a gaming device which includes, among other elements, a display device adapted to display a plurality of concentric wheels, a plurality of first outcomes adapted to be displayed by one of the wheels, and a plurality of second outcomes adapted to be displayed by another one of the wheels.

Amended independent Claim 26 is generally directed to a method of operating a gaming device having a game operable upon a wager, the method including, among other steps, displaying a plurality of concentric wheels, displaying a plurality of first values on one of the wheels, and displaying a plurality of second values on another one of the wheels.

Applicants respectfully submit *Inoue* and *Webb*, alone or in combination, do not disclose a gaming device/method of operating a gaming device of independent Claims 13, 24, and 26 which includes a display device adapted to display a plurality of concentric wheels, a plurality of first values (or outcomes) displayed by one of the wheels, and a plurality of second values (or outcomes) displayed by another one of the wheels.

As stated above, the Office Action points to Figure 1 and Figure 5 of *Inoue* for a teaching of a plurality of first values (or outcomes) and for a teaching of a plurality of second values (or outcomes). The Office Action refers to paragraphs 0032 to 0034, 0041, and 0052 of *Inoue* for disclosure of an award adapted to be provided to the player, wherein the award is based on at least one generated award value modified by at least one generated modifier value. The Office Action points to Figure 5 of *Inoue* as disclosing a plurality concentric wheels wherein the plurality of award values are displayed by one of the wheels and the plurality of modifier values are displayed by another of said wheels.

Under a first interpretation, the Office Action is equating *Inoue*'s win result from a winning symbol combination with the Applicants' claimed plurality of award values (or first values or first outcomes), and the symbols on one of the first and second rotary disks with the Applicants' claimed plurality of modifier values (or second values or second outcomes). Applicants respectfully submit that under this construction, neither *Inoue* nor *Webb* disclose a display device including a plurality of concentric wheels, a plurality of first values (or outcomes) displayed by one of the wheels, and a plurality of second values (or outcomes) displayed by another one of the wheels. That is, the win result of *Inoue* resulting from a winning symbol combination is not adapted to be displayed by one of a plurality of concentric wheels.

Under a second interpretation, the Office Action is equating the plurality of award values (or first values or first outcomes) as the symbols “x1”, “x2”, “x3” and “to wheel 2” on the first rotary disk of *Inoue* and the plurality of modifier values as the symbols “x4”, “x5”, “x7”, and “x10” on the second rotary disk of *Inoue* or vice versa. Applicants respectfully submit that under this interpretation, neither *Inoue* nor *Webb*, disclose an award determined based on the first value (or outcome) modified by the second value (or outcome). The symbols “x1”, “x2”, “x3” and “to wheel 2” on the first rotary disk of *Inoue* are not modified by the symbols “x4”, “x5”, “x7”, and “x10” on the second rotary disk or vice versa. The gaming devices/method of operating a gaming device of amended independent Claims 13 and in contrast to *Inoue* and *Webb*, each include a display device adapted to display a plurality of concentric wheels, a plurality of first values (or outcomes) adapted to be displayed by one of the wheels, and a plurality of second values (or outcomes) adapted to be displayed by another of the wheels. Similarly, the method of operating a gaming device of independent Claim 26, includes displaying a plurality of concentric wheels, displaying a plurality of first values on one of the wheels, and displaying a plurality of second values on another of the wheels. For at least these reasons, Applicants respectfully submit that amended independent Claims 13, 24 and 26 are patentably distinguished over *Inoue* and *Webb* and in condition for allowance.

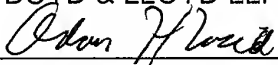
Claims 18 to 23, 25, 31 and 32 depend directly or indirectly from independent Claims 13, 24 and 26 and are also allowable for at least the reasons given with respect to Claims 13, 24, and 26.

An earnest endeavor has been made to place this application in condition for allowance, and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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BY



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